

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

July 14, 1998

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable James F. Thaxter, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Anthony Lauria, Deputy Clerk.

F028663 Tulumis v. Brittsan, et al.

Cause called and argued by Robert Basjian, Esq., counsel for appellant and by Stephen W. Perkins, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

Court recessed until 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Robert Abilez, Deputy Clerk.

F027215 Mutual Life Insurance Co. of New York v. R.E.U.S.

Cause called and argued by Myron F. Smith, Esq., counsel for appellant and by Steven R. Williams, Esq., counsel for respondent.

Cause ordered submitted.

F024948 Fresno Metropolitan Flood Control District v. Harlan Land Company, et al.

Cause called and argued by John L.B. Smith, Esq., counsel for appellant Fresno Metropolitan Flood Control District and by Leland D. Stephenson, Esq., counsel for appellant Harlan Land Company, et al..

Cause ordered submitted.

Court recessed until Wednesday, July 15, 1998 at 10:00 A.M.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

July 14, 1998

F030918 Janice C. v. Superior Court, Kern County; Department of Human Services

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F029859 In re Dylan T., a Minor

The judgment is reversed and the matter is remanded for the trial court to reconsider its orders regarding visitation while Jamie is incarcerated, consistent with the views expressed herein; in particular, the previously ordered nonvisitation during Jamie's incarceration shall not count against her in the court's evaluation reunification and making of further orders. In all other respects, the judgment is affirmed.
Vartabedian, J.

We concur: Ardaiz, P.J.; Harris, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

F030278 People v. Moreno

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F030877 Michael G. v. Superior Court of Kern County; Kern County Department of Human Services

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F031033 Gjurovich v. Porterville Municipal Court, et al.

Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 10(c), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

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F028418 People v. Martinez, Jr.

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F028268 People v. Berry

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F027908 People v. Morgan

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F024660 Wilmot v. Commission on Professional Competence, et al.

Appellant's "Petition for Rehearing" is denied.

F029182 People v. Hewitt

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.